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ORDINANCE #25-1

AMENDMENT TO ORDINANCE #25

AN ORDINANCE AMENDING ORDINANCE #25 ADOPTED THE 1st DAY OF APRIL 1969, AMENDING SAID ORDINANCE TO REQUIRE THE SUBMISSION OF SITE PLANS IN ORDER TO OBTAIN BUILDING PERMITS AND ESTABLISHING THE MINIMUM DISTANCE BETWEEN WATER WELLS AND SEPTIC SYSTEMS.

The Supervisors of Westfall Township, County of Pike and Commonwealth of Pennsylvania, hereby enact and ordain as follows:

SECTION I. The aforesaid Ordinance is hereby amended as follows:

SECTION 1. SHORT TITLE: This Ordinance shall be known as "The Westfall Township Building Ordinance."

SECTION 2. REQUIREMENT FOR PERMIT:

That no person, partnership, firm, association or corporation shall construct any building, construct any addition to any existing building, or install any water supply well without first having obtained a permit therefor.

Such permit shall be issued by the Board of Supervisors, or their designated agent, upon the filing of an application therefor with the township (Zoning Officer) on such application form as shall be or have been promulgated by the Township, together with a complete and detailed set of plans and specifications showing the size and type of construction of the proposed building, a site plan in accordance with the standards required of a licensed professional surveyor or licensed professional engineer, showing thereon the boundary lines of the property upon which the building is to be constructed, the applicable building set back lines, the proposed location of the building, any driveways and related parking areas, any accessory buildings, any on-site water supply well and any on-site septic disposal system, and an approved and valid septic permit or proof of exemption from the necessity therefor, together with the payment of such fee or fees as the Board of Supervisors shall by resolution from time to time set. The applicant shall further submit and furnish such evidence or proof of compliance with all other applicable ordinances, affecting building construction and the use thereof and therein as may be required on the aforesaid application form.

SECTION 3. INSPECTION.

Upon the completion of the work or construction of any building under a permit granted as aforesaid, the holder of such permit shall report such completion to the Board of Supervisors, or the Zoning Officer. The Board of Supervisors or the Zoning Officer may, after completion or at any time during the course of the work for which the permit shall have been granted, cause an inspection of such building to be made. If there is evidence that any requirement of the law or of any ordinance has not been complied with, the Board of Supervisors, or the Zoning Officer may direct in writing that no further work take place until such time as the aforesaid requirement or requirements have been complied with, or may commence criminal prosecution or civil litigation under any such law or ordinance which has not been complied with, as is applicable, to secure compliance therewith, or both. The fact of completion of such work shall be noted upon the original application for the permit, which shall be kept on file.

SECTION 4. TERM OF PERMIT.

If any work authorized by any permit issued under the ordinance shall not have been commenced within Six (6) months after the issuance of such permit, said permit shall be invalid upon the expiration of said Six (6) month period and the holder of such permit shall relinquish such permit. Under such condition neither the permit fee nor any part thereof shall be returned to such permit holder, and if at any future time such permit holder shall make application for another permit for the same work, he shall follow the same procedure and pay the same fee as if no previous permit had been issued. All work authorized by any permit issued under this Ordinance shall be completed within Eighteen (18) months after the issuance of said permit. In the event such work is not completed within said Eighteen (18) month period, the Board of Supervisors may in their sole discretion grant an extension of time which they shall determine not to exceed Eighteen (18) months, upon the showing by the permittee to the satisfaction of the Board of Supervisors of valid and compelling reasons for the non-completion within the permit term and for the granting of an extension. Any permittee who fails to complete the work for which a permit is issued under this Ordinance during the term herein specified, or any extension thereof granted by the Board of Supervisors, shall be deemed in violation of the provisions of this Ordinance.

SECTION 5. MINIMUM REQUIREMENTS.

The plans and specifications submitted as provided in Section 1 above must conform to the following requirements, and any building constructed within the Township, any addition to any existing building therein, and any water supply well to be constructed must conform to the following requirements.

(a) No water supply well shall be constructed within One Hundred (100) feet measured horizontally from the closet point of any existing or proposed sewage disposal drainfield or similar facility, whether situate on property on which the water supply well is proposed to be constructed or property adjacent thereto. A proposed sewage disposal drainfield is one for which a valid permit has been issued and remains in effect.

(b) All foundations shall be continuous around the base of the building, full and tightly enclosed and shall be constructed of masonry, concrete, cinder block or concrete block, laid up with cement or mortar, $3\frac{1}{2}'$ below the minimum depth of finished grade.

(c) All buildings shall be properly designed and substantially built in accordance with good building practices and shall comply with all applicable laws, ordinances, rules and regulations.

(d) All plumbing specifications shall meet the regulations of all existing codes and requirements of the Pennsylvania State Health department and local ordinances. The construction and erection of outside toilets is prohibited.

(e) All buildings electrically wired shall meet the requirements of the National Board of Fire Underwriters and shall be certified and approved in accordance with the applicable Rules and Regulations promulgated by the Commonwealth of Pennsylvania.

(f) The exterior sides of all buildings shall be covered with masonry, glass or plastic, or of siding made of wood, metal, vinyl or similar composition materials, provided, however, that the use of tar paper roll roofing for siding is prohibited.

(g) All chimneys, including flue pipes for woodburning stoves, free standing fireplaces and similar devices shall be flue lined with proper refractory material and constructed in accordance with the requirements of the National Board of Fire Underwriters.

SECTION 6. WAIVERS.

The Board of Supervisors may waive any of the provision of this Ordinance upon showing to their satisfaction by any property owner, that strict compliance with the applicable provision or provisions of this Ordinance is impossible and that waiving any such provision will not adversely affect, directly or indirectly the health, safety or welfare of any person or detrimentally affect any property.

SECTION 7. PENALTIES.

Any person, partnership, firm, association or corporation who shall violate or fail to comply with any of the provisions of this Ordinance shall, upon conviction thereof, be subject to a fine of not less than One Hundred Fifty (\$150.00) Dollars nor more than One Thousand (\$1,000.00) Dollars, and costs of prosecution, and upon default of such fine and costs, to imprisonment for a period not exceeding Thirty (30) days. Each day or part thereof that any violation of this Ordinance is committed or permitted to continue shall constitute a separate offense and shall be punishable separately as such hereunder.

SECTION 8. SEVERABILITY.

If any section, subsection, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 9. REPEALER.

That any ordinance or part of ordinance conflicting with this ordinance be, and the same is hereby repealed insofar as the same affects this ordinance.

SECTION 2. Except as herein amended, the aforesaid Ordinance is hereby re-enacted, ratified and confirmed in its entirety.

SECTION 3. This Ordinance shall become effective Five (5) days after the date of its adoption by the Board of Supervisors.

This Ordinance is hereby ordained and enacted into law this 3rd day of July, 1990, at a duly and legally

convened meeting of the Board of Supervisors of the Township of Westfall.

WESTFALL TOWNSHIP BOARD OF SUPERVISORS

M.C. Groat
Chairman

Mario A. Buda
Member

ATTEST:

Kenneth L. Thiele
Member

John F. Hess
Member

Shelby G. Tanner
Township Secretary

Paul A. Magg
Member